

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CAROL LYNN WAGNER,

Plaintiff,

v.

Case No: 8:20-cv-185-T-36SPF

DEMO SALES, INC.,

Defendant.

ORDER

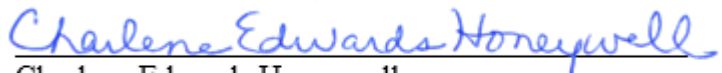
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Sean P. Flynn on April 28, 2020 (Doc. 8). In the Report and Recommendation, Magistrate Judge Flynn recommends that: (1) Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) be denied without prejudice; (2) Plaintiff's Complaint (Doc. 1) be dismissed without prejudice; (3) Plaintiff be allowed thirty days to file an amended complaint in accordance with the Federal Rules of Civil Procedure and to file a renewed request to proceed *in forma pauperis*; and (4) Plaintiff be advised that failure to file an amended complaint within the allotted time may result in dismissal of this action. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 8) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is DENIED WITHOUT PREJUDICE.
- (3) Plaintiff's Complaint (Doc. 1) is DISMISSED WITHOUT PREJUDICE.
- (4) Plaintiff has **thirty (30) days** from the date of this Order to file an amended complaint in accordance with the Federal Rules of Civil Procedure and to file a renewed request to proceed *in forma pauperis*.
- (5) Plaintiff is advised that failure to file an amended complaint within the thirty-day time period may result in dismissal of this action without further notice.

DONE AND ORDERED at Tampa, Florida on May 18, 2020.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Sean P. Flynn
Counsel of Record